

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TYLESHIA GRIER,

Plaintiff,

v.

UNIVERSAL PROTECTION
SERVICE, LLC, D/B/A ALLIED
UNIVERSAL SECURITY SERVICES

Defendant.

Civil Action No.

JURY TRIAL DEMANDED

COMPLAINT FOR DAMAGES

COMES NOW, Tyleshia Grier (“Plaintiff” or “Ms. Grier”), by and through her undersigned counsel, and files this, her Complaint for Damages, and shows the Court as follows:

NATURE OF COMPLAINT

1.

Plaintiff brings this action for damages, and reasonable attorney fees against Defendant Universal Protection Service, LLC, d/b/a Allied Universal Security Services (“Defendant”) for violations of her rights under Title VII of the Civil Rights Act of 1964, as amended (“Title VII”).

JURISDICTION AND VENUE

2.

Plaintiff invokes the jurisdiction of this court pursuant to 28 U.S.C. §§ 1331, and 28 U.S.C. §§ 1343.

3.

The unlawful employment practices alleged in this Complaint were committed within this district. In accordance with 28 U.S.C. § 1391, venue is appropriate in this Court.

ADMINISTRATIVE PROCEDURES

4.

Plaintiff has fulfilled all conditions necessary to proceed with this cause of action under Title VII. Plaintiff filed her Charge of Discrimination with the Equal Employment Opportunity Commission ("EEOC") on August 5, 2022; the EEOC issued its Notice of Right to Sue on March 10, 2023.

5.

Plaintiff timely files this action within ninety (90) days of receipt of the Notice of Right to Sue from the EEOC.

PARTIES

6.

Plaintiff is a Female citizen of the United States of America and is subject to the jurisdiction of this Court.

7.

At all times relevant, Defendant was qualified and licensed to do business in Georgia, and at all times material hereto has conducted business within this District. During all times relevant hereto, Defendant has employed fifteen (15) or more employees for the requisite duration under the Title VII. Defendant is therefore covered under Title VII in accordance with 42 U.S.C. § 2000e(b).

8.

Defendant may be served with process by delivering a copy of the summons and complaint to its registered agent, Corporation Service Company, located at 2 Sun Court Suite 400, Peachtree Corners, GA, 30092, USA.

FACTUAL ALLEGATIONS

9.

On or about November 1, 2019, Ms. Grier began working for Defendant as a Security Officer.

10.

On or around April 2022, Ms. Grier informed Defendant that she was pregnant when it was time to order new uniforms.

11.

On or around May 8, 2022, Ms. Grier asked Defendant for the number to Human Resources because she needed to discuss some issues with someone.

12.

Defendant told Ms. Grier to call the Operations Manager first and if she could not reach him to call the Client Manager.

13.

On or about May 9, 2022, Defendant took her off of the work schedule and said there were no hours for her to work.

14.

On or around May 20, 2022, Ms. Grier asked Defendant when she would be placed back on the schedule since she had not been fired.

15.

Ms. Grier asked if she was in fact fired but Defendant did not respond.

16.

On or around June 1, 2022, Ms. Grier asked Defendant for a separation notice since she had not been allowed to work.

17.

On or around June 7, 2022, Ms. Grier asked Defendant again if she was terminated and the reason for termination, but Defendant did not respond.

18.

As of today, Defendant has not allowed Ms. Grier to return to work.

19.

Although Defendant purports to provide a legitimate non-discriminatory reason for the adverse action, this reason is a pre-text. Plaintiff was treated less favorably in the terms or conditions of employment than others outside of her protected class, i.e., Female.

CLAIMS FOR RELIEF

COUNT I: PREGNANCY DISCRIMINATION IN VIOLATION OF THE PREGNANCY DISCRIMINATION ACT / TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

20.

Plaintiff re-alleges paragraphs 9-19 as if set forth fully herein.

21.

When it adopted the Pregnancy Discrimination Act, Congress amended Title VII to provide that discrimination on the basis of sex includes discrimination "on the basis of pregnancy, childbirth, or related medical conditions."

22.

Defendant's actions in subjecting Plaintiff to different terms and conditions of employment because of her pregnancy constitutes unlawful discrimination on the basis of her sex in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq. and 42 U.S.C. § 1981a.

23.

Defendant has willfully and wantonly disregarded Plaintiff's rights, and Defendant's discrimination against Plaintiff was undertaken in bad faith.

24.

The effect of the conduct complained of herein has been to deprive Plaintiff of equal employment opportunity, and has otherwise adversely affected her status as an employee because of her pregnancy.

25.

As a direct and proximate result of Defendant's violation of Title VII, Plaintiff has been made victims of acts that have adversely affected her psychological and physical well-being.

26.

Accordingly, Defendant is liable for the damages Plaintiff has sustained as a result of Defendant's unlawful discrimination.

**COUNT II: GENDER DISCRIMINATION IN VIOLATION OF TITLE VII
OF THE CIVIL RIGHTS ACT OF 1964**

27.

Plaintiff re-alleges paragraphs 9-19 as if set forth fully herein.

28.

Defendant's actions in subjecting Plaintiff to different terms and conditions of employment constitutes unlawful discrimination on the basis of her gender in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq.

29.

Defendant has willfully and wantonly disregarded Plaintiff's rights, and its discrimination against Plaintiff was undertaken in bad faith.

30.

The effect of the conduct complained of herein has been to deprive Plaintiff of equal employment opportunity and has otherwise adversely affected her status as an employee because of her gender.

31.

As a direct and proximate result of Defendant's violation of Title VII, Plaintiff has been made the victim of acts that have adversely affected her economic, psychological, and physical well-being.

32.

Accordingly, Defendant is liable for the damages Plaintiff has sustained as a result of Defendant's unlawful discrimination.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment as follows:

- (a) General damages for mental and emotional suffering caused by Defendant's misconduct;
- (b) Punitive damages based on Defendant's willful, malicious, intentional, and deliberate acts, including ratification, condonation and approval of said acts;
- (c) Reasonable attorney's fees and expenses of litigation;
- (d) Trial by jury as to all issues;

- (e) Prejudgment interest at the rate allowed by law;
- (f) Declaratory relief to the effect that Defendant has violated Plaintiff's statutory rights;
- (g) Injunctive relief of reinstatement, or front pay in lieu thereof, and prohibiting Defendant from further unlawful conduct of the type described herein; and
- (h) All other relief to which she may be entitled.

Respectfully submitted this 16th day of March 2023.

BARRETT & FARAHANY

/s/ Ianna O. Richardson

Ianna O. Richardson
Georgia Bar No. 655153

Counsel for Plaintiff Tyleshia Grier

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